

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

DONALD RICHARD KARR, JR.,

Plaintiff,

vs.

CAROL HARMS, NICK DOE ONE,  
STORE LOCAL STORAGE CO-OP,  
and DOES 1-500.

Defendants.

CV 25-01-BLG-SPW-TJC

ORDER ADOPTING  
MAGISTRATE'S FINDINGS  
AND RECOMMENDATIONS

The United States Magistrate Judge filed Findings and Recommendations on March 24, 2025. (Doc. 6). The Magistrate recommended that this matter be dismissed based on improper venue. (*Id.* at 3–5).


Pursuant to 28 U.S.C. § 636(b)(1), parties are required to file written objections within 14 days of the filing of the Magistrate's Findings and Recommendation. No objections were filed. When neither party objects, this Court reviews the Magistrate's Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir.

2000). After reviewing the Findings and Recommendation, this Court does not find that the Magistrate committed clear error.<sup>1</sup>

IT IS ORDERED that the proposed Findings and Recommendations entered by the United States Magistrate Judge (Doc. 6) are ADOPTED IN FULL.

IT IS FURTHER ORDERED that this matter is dismissed based on improper venue. *See* 28 U.S.C. § 1406(a).

DATED this 11<sup>th</sup> day of April, 2025.

  
SUSAN P. WATTERS  
United States District Judge

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<sup>1</sup> The Findings and Recommendations mistakenly cited to Title 18 of the U.S. Code regarding the Court's discretion to dismiss or transfer the case. (Doc. 6 at 5). The Court notes that this was a typographical error and relies on Title 28 of the U.S. Code, Section 1406(a) in dismissing the case for improper venue.